

## DEPARTMENT OF FINANCE BILL ANALYSIS

**AMENDMENT DATE:** June 24, 2010  
**POSITION:** Neutral, note concerns  
**SPONSOR:** Assembly Sergeants-at-Arms and California Highway Patrol

**BILL NUMBER:** AB 2668  
**AUTHOR:** C. Galgiani

### **BILL SUMMARY: Possession of Weapons at State Capitol**

This bill would repeal and recast existing law that makes it a crime to bring or possess specified weapons within the State Capitol, and any other specified locations of significance to the conduct of the Legislature, Governor, or constitutional officers.

### **FISCAL SUMMARY**

No data is available to indicate the number of individuals who would be convicted of these crimes and serve time in state prison. We note that initially, the cost of additional inmates sentenced under this bill would be approximately \$25,000 General Fund (GF) per inmate, per year. However, over time the cumulative effect of additional sentences being imposed is more accurately reflected by the average institutional cost per inmate of approximately \$50,000 GF per year. Assuming that just ten people serve one year in prison, it would cost the state \$250,000 GF in the short term and \$500,000 GF in the long term.

The California Constitution requires the state to reimburse local entities for increased costs associated with any new program or higher level of service imposed by the state on local entities if the Commission on State Mandates determines that the new program or higher level of service is reimbursable and a state mandate. Any local government costs resulting from the mandate in this measure would not be state-reimbursable because the mandate only involves the definition of a crime or the penalty for conviction of a crime.

### **SUMMARY OF CHANGES**

Amendments to this bill since our analysis of the April 8, 2010 version include significant amendments which do change our position. Specifically, the intent of this bill has been changed and no longer relates to the installation of telemedicine fixtures at a California Department of Corrections and Rehabilitation institution.

### **COMMENTS**

Existing law makes it a crime for any person to bring or possess specified weapons within the State Capitol or upon its grounds, any legislative office or room where any legislative committee conducts a hearing, or the Legislative Office Building. This crime is a public offense punishable by imprisonment in a county jail for up to one year, a fine of up to \$1,000, or by both that fine and imprisonment, or imprisonment in state prison. This bill would repeal and recast existing law to expand the locations to which this law applies to include any office of the Governor or constitutional officer. The bill also specifies that these provisions would not preclude prosecution under any other law with a penalty that is greater than what is provided under this section. These provisions would not apply to specified peace officers.

Analyst/Principal (0232)A. Jarvis	Date	Assistant Program Budget Manager Zlatko Theodorovic	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

<b>BILL ANALYSIS</b>	Form DF-43 (Rev 03/95 Buff)
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**BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)****Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

C. Galgiani

June 24, 2010

AB 2668

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013	Code
5225/Corr & Rehab	SO	No	-----	See Fiscal Summary				-----	0001
8885/Comm St Mndt	LA	No	-----	No/Minor Fiscal Impact				-----	0001